

REMARKS

Claims 1, 2 and 12 - 19 were at issue. Claims 16 - 19 have been withdrawn from consideration as being directed to a non-elected invention and are hereby cancelled (without prejudice to their prosecution in a subsequent application). Moreover, to further the prosecution, the claims have been amended in accord with a restriction requirement (as requested by the Examiner). Importantly, the claims have not been narrowed (or otherwise amended) to overcome the prior art. Accordingly, Claims 1, 2 and 13 - 14 are at issue in the present Office Action.

The Examiner has objected to Claims 1,2 and 13-14 as containing subject matter inconsistent with a restriction requirement ("the recitation of SEQ ID NO: 4, 5 and 16, as well as other fragments of C5a read upon non-elected inventions and must be canceled).

The Examiner has rejected Claims 12 and 15 under 35 U.S.C. 102, as anticipated by Morgan (1992).

I. Claims 1 and 2 Comply With The Restriction Requirement

The Examiner has objected to Claims 1 and 2 as failing to comply with the written description requirement. Without acquiescing to the Examiner's rejection, but to further the prosecution, and hereby expressly reserving the right to prosecute the removed subject matter, Applicants have amended the claims to further define one embodiment of the invention. Applicants have made Claims 13 and 14 dependent on Claim 1. The amended claims are in a now in a form ready for allowance.

II. Claims 12 and 15 Have Been Cancelled

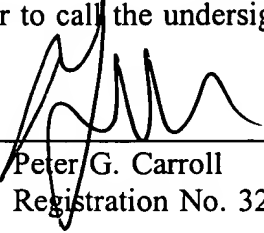
The Examiner has rejected Claims 12 and 15 under 35 U.S.C. 102, as anticipated by Morgan. Applicants cannot agree. Nonetheless, in order to move the prosecution forward, the rejection is not addressed at this time. Rather, the claims have been cancelled without prejudice to their prosecution in the future, thereby rendering this rejection moot.

III. Conclusion

The Applicants believe that the amendments and arguments set forth herein transverse the Examiners rejections and, therefore, request that these grounds for rejection be withdrawn.

If the Examiner believes that a telephone interview would aid in the prosecution of this application the Applicants encourage the Examiner to call the undersigned collect.

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